

REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-19 are pending in the application, with Claims 20-57 canceled by the present preliminary amendment.

Furthermore, further to the Petition to Accept an Unintentionally Delayed Claim of Priority filed on August 3, 2004, a Supplemental Application Data Sheet is filed herewith.

Accordingly, examination on the merits of Claims 1-19 is believed to be in order, and an early and favorable action on the merits is respectfully requested.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marshall, et al.

Serial No: 09/814,154

Filed: 03/21/01

For: System and Method for Streaming of Dynamic Weather Content to the Desktop

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AUG 3 2004

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM OF PRIORITY**

Attention: Office Of Petitions  
Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The above-identified application is entitled to a claim for priority under 35 USC § 119(e) for the benefit of provisional patent application 60/276,060, filed March 15, 2001. A claim for priority was not filed within the time limit provided by 37 CFR § 1.78(a)(5)(ii). The deadline for claiming priority from the prior filed provisional application was July 15, 2002.

STATEMENT: The entire delay from the date the claim was due under paragraph 37 CFR § 1.78(a)(5)(ii) until the filing of a grantable petition under 37 CFR § 1.78(a)(6) was unintentional.

The Commissioner is hereby authorized to charge to deposit account no. 09-0528 a petition fee of \$1,330.00 (37 CFR § 1.17(t)).

Date:

8/3/04

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Docket No.: A182 1010

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document is being transitted via facsimile to telephone number (703) 872-9306, addressed to the Commissioner for Patents - Office of Petitions on August 3, 2004.

Diana Ogles

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